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Canadian Embassy



Ambassade du Canada

RM-10821

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Note No. UNEC0192

Federal Communications Commission
Office of the Secretary

The Embassy of Canada presents its compliments to the United States Department of State and has the honour to refer to the Federal Communications Commission's Public Notice DA 03-3585 dated November 7, 2003.

The Embassy has the honour to enclose comments which it requests that the Department of State forward to the FCC and to other appropriate agencies (i.e. the National Telecommunications and Information Administration, the U.S. Coast Guard, U.S. Department of Transportation, the Saint Lawrence Seaway Development Corporation).

Canada has been following with interest the communications between various U.S. agencies (the Federal Communications Commission, the National Telecommunications and Information Administration (NTIA), the U.S. Coast Guard, U.S. Department of Transportation, the Saint Lawrence Seaway Development Corporation) and MarITEL, Inc. (Maritel) regarding the use of channels 87B and 88B in the maritime mobile frequency band.

Attachment E to Arrangement A entitled VHF Channelling Arrangement for

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List A B C D E

Parallel Mobile Public Correspondence on the Great Lakes and the St. Lawrence Seaway of the 1962 Agreement Concerning the Coordination and Use of Radio Frequencies Above 30 Megacycles per Second (Above 30 MHz Coordination Agreement) between our two governments allots a number of specific channels for the exclusive and priority use of each country near the Canada/U.S. border. Namely, Attachment E identifies four channels, including channel 88, as Canadian channels for which international coordination would be required if assigned in the border area by U.S. agencies. Attachment E further stipulates that any U.S. assignment of these channels in the frequency coordination zone will have to be vacated if requested by Canada. Since 1962, the Government of Canada has been and will continue to assert complete authority within its jurisdiction for the disposition and use of channels 24, 85, 27 and 88 as specified in Attachment E of Arrangement A. As a result, it is Canada's view that assertions made by Maritel in their various petitions which infer limitations on the use of channel 88 by the Canadian government within our sovereign territory are incorrect. Clearly, these assertions contradict certain provisions of the above-mentioned treaty between our two governments.

Furthermore, following the decisions taken at WRC-97 with respect to Automatic Identification System (AIS) allocations, Canada has been planning and will continue to pursue the implementation of the AIS using channel 88. Canada is currently amending the technical standard in which we define the use of frequencies in the maritime mobile frequency band in

Canada. Channels 87B and 88B have been reserved for the exclusive purpose of AIS operations, by land and mobile stations in the maritime mobile service, and will no longer be available for public correspondence in Canada.

Although we note that use of channel 87B within the border area is the subject of continued negotiation between our two administrations, we strongly support the concept that the use of these two channels, in all areas including the border areas, shall be unimpeded. Noting the geographical proximity of our two countries, and the difficulties which would be experienced through the use of differing frequencies for ship borne AIS communications between our two countries, we would strongly discourage any action which would see channels other than 87B and 88B being used for AIS purposes.

Finally, we wish to support the views expressed by the NTIA in petition RM-10821. In particular, Canada strongly shares the view that the implementation of AIS on channels 87B and 88B is a matter of national and international importance with respect to ensuring the safety and security of ship movement in the Great Lakes and St. Lawrence Seaway. Like the NTIA, we believe that these concerns must take precedence over any conflicting claims by any other stakeholders.

In summary, Canada is moving forward with its plans to implement an AIS on

channels 87B and 88B. If adopted, Maritel's proposal for a rulemaking would seriously compromise Canada's plans and the joint efforts of our two governments towards implementing a North American system. In addition, such a rulemaking would be inconsistent with the Above 30 MHz Coordination Agreement.

The Embassy of Canada avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

Washington, DC December 22, 2003

